IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 15TH FEBRUARY 2007 / 26TH MAGHA 1928

Bail Appl..No. 851 of 2007()

CMP.42/2006 of J.M.F.C.-II, SULTHANBATHERY
CRIME NO.2/07 OF PULPALLY POLICE STATION

.....

: PETITIONER/ACCUSED

VARGHESE, S/O. ULAHANNAN,
MOLATH HOUSE, NEERVARAM, PANAMARAM AMSOM,
SULTHAN BATHERY.

BY ADV. SRI.JIJO PAUL

RESPONDENTS: STATE

THE STATE OF KERALA, REPRESENTED BY
SUB INSPECTOR OF POLICE, PULAPPALY POLICE
STATION - THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI-31.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 851 OF 2007

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DATED THIS THE 15th DAY OF FEBRUARY, 2007

O R D E R

Petitioner who is the accused in Crime No.2/07 of Pulpally Police Station for an offence punishable under section 55(a) of the Abkari Act for allegedly having been found in possession of 9.900 litres of Karnataka arrack in 99 packets on 1.1.2007 and who was arrested on 7.1.2007, seeks his enlargement on bail.

2. The learned Public Prosecutor opposed the application submitting, inter alia, that the petitioner is an accused in two other crimes of similar nature.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This application is accordingly dismissed.

V.RAMKUMAR, JUDGE.

dsn/-